

FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR Thursday, September 22, 2011.

Alan Duke, Chair, called to order the regular meeting of the Frederick County Board of Appeals ("Board") for Thursday, September 22, 2011 at 7:05 p.m. in the 3rd Floor Meeting Room in Winchester Hall. Present were Carole Jaar Sepe, Robert Fenimore, Brad Dyjak and later joined by John Capoccia. Also present were Michael Chomel, Senior Assistant County Attorney, and Community Development Division staff Larry Smith, Zoning Administrator, and Craig Terry, Planner.

Official Minutes of the Board of Appeals' meetings are kept on file in the Planning Division.

The Chair stated the rules and procedures for the hearing.

Approval of Minutes

On a motion from Mr. Fenimore, seconded by Mr. Dyjak, the Board approved the minutes of August 25, 2011 (Yea 4, Nay 0, Absent 1-Capoccia)

Cases

The Chair swore in all persons who expected to testify at the meeting.

B-11-08 Kevin D. & Eileen S. Gordon

An application was filed for a variance of 20 feet from the required 40 ft. front yard setback in order to construct a detached garage, located on Broad Run Road off a common drive, (5327 Broad Run Road, Jefferson MD, Tax Map 83, Parcel 60, Lot 1), Zoned Agricultural (AG).

Carole Jaar Sepe made a motion to approve the request on the basis that the Applicant met criteria set forth in Sections 1-19-3.220, 1-19-4.300 and 1-19-6.100. The motion was amended by Mr. Duke to include that the property was found to be unique by reason of topography, and the location of an existing driveway, well, septic, and house on a panhandle lot.

(Capoccia arrived at 7:23 p.m.)

The motion was seconded by Mr. Dyjak. The Board voted and approved the application. (Yea 4, Nay 0, Abstain 1- Capoccia)

Announcement

The Board will discuss potential text amendments at the November scheduled hearing which the Board will present to the BOCC.

Closing

The Chair announced that the next meeting is scheduled for October 27, 2011.

Being no further business, the meeting adjourned at 7:26 PM.

Respectfully submitted
Carole Jaar Sepe
Vice-Chair

_____/s/
Alan Duke, Chair